NOTIFICATION. 805

No. L.S. 1780—L.W. 93-52-10, dated Bangalore, 14th July 1952.

In pursuance of the powers conferred by Rule 8 of Welfare Officers (Recruitment and Conditions of Service) Rules, 1951, issued with Government Notification No. L.S. 3061—L.W. 22-51-10, dated the 8th November 1951, His Highness the Maharaja of Mysore is pleased to exempt all the Central Government Undertakings in the State from the operation of all the provisions of the said Rules subject to compliance of the provisions of the Labour Officers (Central Pool) Recruitment and Conditions of Service Rules, 1951, (republished hereunder), which are hereby approved as alternative arrangements so far as recruitment and conditions of service of Welfare Officers in the Central undertakings in the State are concerned.

GOVERNMENT OF INDIA.

MINISTRY OF LABOUR, NEW DELHI.

Dated the 20th November 1951.

No. L.W.I.-47 (4)/46.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules. They shall come into force with effect from the 20th November 1951 :—

1. (1) These rules may be called Labour Officers (Central Pool) Recruitment and Conditions of Service Rules, 1951.

(2) These rules shall apply to all Labour Officers included in the Pool.

(3) The Pool shall, to start with consist of all Labour Officers who are required to perform the duties specified in rule 11 in any undertaking except the Railways whether such officers are designated as Labour Officers, Labour Welfare Officers, Civilian Labour Officers or by any other name and whether they are appointed under a statute or otherwise.

2. *Definitions.*—In these Rules unless there is anything repugnant in the subject or context :—

(1) "Government or Government of India" means the Government of India in the Ministry of Labour.

(2) "Ministry concerned" means a Ministry of the Central Government and shall include a Head of a Department subordinate thereto possessing appropriate powers which exercises control over an undertaking in which a Labour Officer is employed.

(3) "Undertaking" means a Central undertaking such as a Defence Installation, a Posts and Telegraphs Circle, Central Public Works Department and a Government Factory where one or more Labour Officers are employed for performing duties specified in rule 11.

(4) "Worker" means any person employed in any undertaking directly or through any agency and for whose welfare the Central Government is responsible by statute or otherwise.

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3. *Number of Labour Officers*:—

(1) In every undertaking where five hundred or more workers are ordinarily employed, there shall be appointed at least one Labour Officer : provided that, when the number of workers exceed two thousand one Labour Officer shall be appointed for every two thousand workers or a fraction thereof.

(2) Ordinarily no Labour Officer should work for more than 3 years under a Ministry concerned at one stretch.

4. *Recruitment*:—

(1) Recruitment shall be made by the Government of India through the Union Public Service Commission.

Note:—In case of short vacancies where recruitment is permissible without consultation with the Union Public Service Commission, the Ministry of Labour may appoint a qualified person to such vacancy provided that where a suitable candidate selected by the Union Public Service Commission is available, he should normally be so appointed.

(2) Labour Officers shall be liable to be on probation for a period of one year which may be extended at the discretion of the Government for such period as it may think fit subject to a maximum of six months.

(3) During the period of probation a Labour Officer may be required to pass such examination or examinations as the Government may prescribe.

(4) If, in the opinion of the Government, the work or conduct of the Labour Officer on probation is unsatisfactory or shows that he is unlikely to prove efficient, the Government may discharge him after giving him a reasonable opportunity of showing cause against such action, or may extend the period of probation as in sub-rule (2) above.

(5) On the conclusion of the period of probation, a Labour Officer may be confirmed provided a permanent vacancy is available for such confirmation. In other cases, successful conclusion of the period of probation will entitle an officer to further retention in service, subject to availability of a post.

5. *Qualifications*:—

(1) *Essential*.—Candidates must be graduates of one of the recognised Universities preferably in one of the Social Sciences such as Economics, Commerce and Sociology.

Note.—Candidates selected as Labour Officers may be required to be conversant in one principal local language of their jurisdictions within a reasonable period of time.

(2) *Desirable*.—Preference will be given to candidates who have successfully undergone a recognised course of training in social work in such institutions as the Government may prescribe from time to time.

Note.—In the case of candidates who have not undergone a recognised course of training, it will be a condition of appointment that such candidates shall be liable to be deputed for training for about six months and their continued employment will be subject to successful conclusion of training. During the period of training, candidates would be entitled to draw two-thirds of that pay.

(3) Preference will also be given to candidates with adequate experience of Labour Welfare Work in organisations employing a substantial labour force and candidates with experience of other social and administrative work.

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6. *Age.*—Candidates would be between 25 and 40 years of age. Upper age-limit may be relaxed in the case of permanent Government servants and Scheduled Castes and Scheduled Tribes candidates in accordance with the instruction issued by the Ministry of Home Affairs from time to time.

7. *Scale of pay and status.*—(1) The Scale of pay of a Labour Officer shall be Rs. 275-25-500/EB-30-650/EB-30-800.

(2) Higher initial pay may be allowed, at the discretion of the Government, to candidates with exceptional qualifications and/or previous experience.

(3) The officers will be Class II Officers with Gazetted status.

8. *Leave, travelling allowance, medical attendance, pension, provident fund.*—Labour Officers shall be governed in respect of leave, travelling allowance, medical attendance, pension, provident fund and other conditions of service not provided for in these rules, by the same rules as may, for the time being, be applicable to Class II Officers of the Central Government generally.

9. *Conduct and discipline.*—(1) In day-to-day administrative and disciplinary matters, Labour Officers will be under the immediate control of the Head of the Establishment and the Ministry concerned to which they are posted.

(2) In the matter of disciplinary procedure, rights of appeal, etc., Labour Officers shall be governed generally by the Civil Services (Classification, Control and Appeal) Rules as applicable to Central Service Class II Officers.

(3) The power to remove or dismiss a Labour Officer subject to these rules shall not be exercised by any authority other than the Ministry of Labour. The Ministry concerned shall in a case where it considers that the punishment of removal or dismissal should be imposed, complete the enquiry and revert the officer concerned to the Ministry of Labour for such action as that Ministry may consider necessary.

(4) The Ministry concerned shall consult the Ministry of Labour before imposing any lesser penalty (except suspension) and in case of suspension shall report forthwith to the Ministry of Labour the circumstances leading to the imposition of that penalty.

10. *Postings and transfers.*—Postings of Labour Officers and their transfers between undertakings under the control of different Ministries shall be regulated by the Ministry of Labour in consultation with the Ministries concerned. Transfers between undertakings under the control of the same Ministry shall be regulated by the Ministry concerned.

11. *Duties.*—The duties of Labour Officers shall be as follows:—

(i) to establish contacts and hold consultations with a view to maintaining harmonious relations between the management of the undertaking and workers;

(ii) to bring to the notice of the management of the undertaking the grievances of workers, individual as well as collective with a view to securing their expeditious redress and to act as a negotiating officer with trade unions;

(iii) to study and understand the point of view of labour in order to help the management of the undertaking to shape and formulate labour policies and to interpret these policies to the workers in a language they can understand;

(iv) to watch industrial relations with a view to using his influence in the event of a dispute arising between the management of the undertaking and workers and to help to bring about a settlement by conciliation and arbitration;

(v) to deal with wage and employment matters by joint consultation with the management of the undertaking and workers' representative bodies;

(vi) to exercise a restraining influence over workers going on illegal strikes and over managements declaring illegal lock-outs, and to help in preventing anti-social activities;

(vii) to maintain a neutral attitude during legal strikes or lock-outs and to help in bringing about a peaceful settlement;

(viii) to ensure fulfilment on the part of the management of the undertaking of obligations, statutory or otherwise, concerning the application of provisions of the Factories Act, 1948 and the rules made thereunder, and to establish liaison with the Factory Inspector and the Medical Services concerning medical examinations of employees, health records supervision of hazardous jobs, sick visiting and convalescence, accident prevention and supervision of safety committees, systematic plant inspection, safety education, investigation of accidents, maternity benefits and workmens compensation;

(ix) to promote relations between management of the undertaking and workers which will ensure productive efficiency as well as amelioration in the working conditions and to help workers to adjust and adapt themselves to their working environments;

(x) to encourage the formation of works and joint production Committees, Co-operative Societies and Safety-First and Welfare Committees, and to supervise their work;

(xi) to secure provision of amenities such as canteens, shelters for rest creches, adequate latrine facilities, drinking water, sickness and benevolent scheme payments, pension and superannuation funds, gratuity payments, granting of loans, and legal advice to workers;

(xii) to help the management of the undertaking in regulating the grant of leave with wages and explain to the workers the provisions relating to leave with wages and other leave privileges and to guide the workers in the matter of submission of application for grant of leave for regulating authorised absence;

(xiii) to secure welfare provision, such as housing facilities, food stuffs, social and recreational facilities, sanitation, advice on individual personnel problems and education of children;

(xiv) to advice the management of the undertaking on questions relating to training of new starters, apprentices, workers on transfer and promotion, instructors and supervisors, supervision and control of notice-board and information bulletins to further education of workers and to encourage their atttendance at technical Institutes;

(xv) to suggest measu es which will serve to raise the standard of living of workers and in general promote their wellbeing.

P. N. SHARMA,
Under Secy.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,
Secretary to Government,
Law Department.